

ROBERT EARL ROSS, )  
)  
Petitioner, )  
)  
v. ) ORDER  
)  
)  
UNITED STATES OF AMERICA, )  
)  
Respondent. )

On 13 October 2015, petitioner filed *pro se* a motion pursuant to 28 U.S.C. § 2255. In response, the government filed a motion to dismiss. Petitioner filed *pro se* a response to the government's motion. Appointed counsel then filed a notice of appearance on behalf of petitioner and filed a response to the government's motion. Petitioner filed a motion to stay based on In re Hubbard, No. 15-276 (4th Cir.). The Fourth Circuit Court of Appeals issued its decision in Hubbard, which prompted the government to file a motion for supplemental briefing. Shortly thereafter, the government also filed a motion to stay based on Beckles v. United States, No. 15-8544 (U.S.). The court allowed that motion to stay and later denied petitioner's motion to stay as moot. With the Supreme Court's recent decision in Beckles, petitioner's counsel moved to withdraw from representation, which the court allowed.

In light of the foregoing, the stay of this proceeding is LIFTED. The government's motion for supplemental briefing is ALLOWED. The government may file its supplemental brief within 30 days, and because petitioner is now proceeding *pro se*, the government must

serve a copy of any future filings on petitioner. Petitioner shall have 30 days to file any response to the supplement brief. The Clerk is DIRECTED to serve a copy of this order on petitioner.

This 19 April 2017.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

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W. Earl Britt  
Senior U.S. District Judge